

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

Eleetra Sharah El,	:	
	:	
Plaintiff(s),	:	
	:	Case Number: 1:15cv797
vs.	:	
	:	Judge Susan J. Dlott
Hamilton County, Ohio et al.,	:	
	:	
Defendant(s).	:	

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Stephanie K. Bowman filed on February 29, 2016 (Doc. 10), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired March 17, 2016, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's motion for leave to proceed *in forma pauperis* on appeal (Doc. 9) is DENIED.

Pursuant to Fed. R. App. P. 24(a)(4), plaintiff may file, within 30 days after service of the District Court's Order adopting the Report and Recommendation, a motion with the Sixth Circuit Court of Appeals for leave to proceed as a pauper on appeal. *Callihan v. Schneider*, 178 F.3d 800, 803 (6<sup>th</sup> Cir. 1999), overruling in part *Floyd v. United States Postal Service*, 105 F.3d 274 (6<sup>th</sup> Cir. 1997). Plaintiff's motion must include a copy of the affidavit filed in the District Court and this Court's statement as to the reasons for denying pauper status on appeal. *Id.*; see Fed. R. App. P. 24(a)(5).

Plaintiff is notified that if she does not file a motion within 30 days of receiving a copy of

this decision as required by Fed. R. App. P. 24(a)(5), or fails to pay the required filing fee of \$455.00 within the same time period, the appeal will be dismissed for want of prosecution.

*Callihan*, 178 F.3d at 804. Once dismissed for want of prosecution, the appeal will not be reinstated, even if the filing fee or motion for pauper status is subsequently tendered, unless plaintiff can demonstrate that she did not receive notice of the District Court's decision within the time period prescribed for by Fed. R. App. P. 24(a)(5). *Id.*

IT IS SO ORDERED.

\_\_\_\_\_  
s/Susan J. Dlott  
Judge Susan J. Dlott  
United States District Court